

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of: Hedlund, et al.

Application Serial No.: 10/633,357

Filed: August 1, 2003

For: Interface System and Method for Dynamic Scheduling of Personnel

Mail Stop: Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST**  
**(REVOCATION OF PRIOR POWERS)**

As assignee of record of the entire interest of the above-identified:

☒  
☐

application,  
patent

**REVOCATION OF PRIOR POWERS OF ATTORNEY**

all powers of attorney previously given are hereby revoked and

**NEW POWER OF ATTORNEY**

I/we hereby appoint all of the following attorneys and agents of Thomas, Kayden, Horstemeyer & Risley, LLP, who are listed under the USPTO Customer Number shown below as my/our attorneys and agents to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, recognizing that the specific attorneys and agents listed under that Customer Number may be changed from time to time at the sole discretion of Thomas, Kayden, Horstemeyer & Risley, LLP, and request that all correspondence be addressed to the address filed under the same USPTO Customer Number.

**24504**

Direct correspondence and telephone calls to:

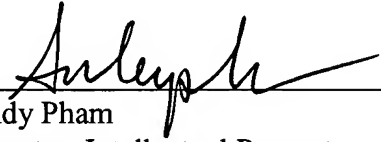
**M. Paul Qualey, Jr., Reg. No. 43,024**  
**THOMAS, KAYDEN, HORSTEMEYER & RISLEY, L.L.P.**  
100 Galleria Parkway, Suite 1750  
Atlanta, Georgia 30339  
770-933-9500

**ASSIGNEE OF ENTIRE INTEREST**

**WITNESS SYSTEMS, INC.**  
300 Colonial Center Parkway  
Roswell, GA 30076

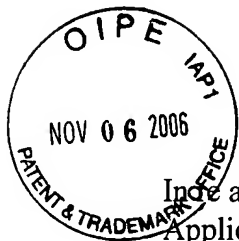
**ASSIGNEE CERTIFICATION**

The certification under 37 C.F.R. §3.73(b) establishing the right of assignee to take action is attached hereto along with documentation evidencing same.

  
\_\_\_\_\_  
Andy Pham  
Director, Intellectual Property  
Witness Systems, Inc.

Date: 10/25/05

Docket No.: 762302-1050



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Hedlund, et.al.

Application Serial No.: 10/633,357

Filed: August 1, 2003

For: System and Method for Dynamic Scheduling of Personnel

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

**CERTIFICATE UNDER 37 C.F.R. §3.73(b)  
ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION**

1. The assignee of the entire right, title and interest hereby seeks to take action in the PTO in this matter.

2. The assignee of this matter is:

**WITNESS SYSTEMS, INC.  
300 COLONIAL CENTER PARKWAY  
ROSWELL, GA. 30076**

**PERSON AUTHORIZED TO SIGN**

3. Karen G. Hazzah  
Attorney for Assignee

4. A chain of title from the inventor(s) to the current assignee is shown below:

- a. From: Henrik E. Hedlund, Ali S. Kiran, Jeffrey Cameron  
To: Exametric, Inc.  
Recorded in PTO: Reel: 014364      Frame :0860
- b. From: . Exametric, Inc.  
To: Witness Systems, Inc.  
Recorded in PTO: Reel:                      Frame:

[Not yet recorded in PTO: See Exhibit A evidencing assignment that is being filed this date. No Reel and Frame has been assigned as of yet.]

### **DECLARATIONS**

5. I, the undersigned, have reviewed all the documents in the chain of title of the

☒ application  
☐ patent

matter identified above and, to the best of my knowledge and belief, title is in the assignee identified above.

6. I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

7. I, the person signing below, aver that I am empowered to sign this statement on behalf of the assignee.

  
\_\_\_\_\_  
**Karen G. Hazzah**

Tel. No. 770-933-9500  
Customer No.: 24504

**THOMAS, KAYDEN, HORSTEMEYER  
& RISLEY, L.L.P.**  
100 Galleria Parkway, Suite 1750  
Atlanta, Georgia 30339-5948

Docket No. 762302-1050

### ASSIGNMENT AGREEMENT

IN THIS AGREEMENT, made and entered into as of the 1<sup>st</sup> day of Nov, 2006 ("Effective Date"), Exametic, Inc. (hereafter "EXAMETRIC"), a California corporation, having its principal place of business at 4204 Jutland Dr., San Diego, CA, and Witness Systems, Inc., a Delaware Corporation, having its principal place of business at 300 Colonial Center Parkway, Roswell, GA, 30076 ("WITNESS SYSTEMS"), agree as follows:

1. EXAMETRIC owns all right, title, and interest in and to:

COUNTRY	REFERENCE #	TYPE	FILED	SERIAL #	ISSUED PATENT #	STATUS
<b>METHOD AND SYSTEM FOR SCHEDULING AND SHARING A POOL OF RESOURCES ACROSS MULTIPLE DISTRIBUTED FORECASTED WORKLOADS</b>						
UNITED STATES		NEW	6/30/2003	10/610,780		PUBLISHED US20040010437
WIPO		PCT	6/29/2004	WO2004US0021043		PUBLISHED WO05006142
<b>SYSTEM AND METHOD FOR DYNAMIC SCHEDULING OF PERSONNEL</b>						
UNITED STATES	109704-000009	CIP	8/1/2003	10/633,357		PUBLISHED US20040267591
AUSTRALIA	AU3298539AA	AU	8/1/2003	AU2003000298539		PUBLISHED AU3298539AA
WIPO		PCT	8/1/2003	WO2003US0024244		PUBLISHED WO05010791
<b>SYSTEM AND METHOD FOR WORKFORCE REQUIREMENTS MANAGEMENT</b>						
UNITED STATES	109704-000011	NEW	4/27/2004	10/832,509		PUBLISHED US20050240465
WIPO	109704-11PCT	PCT	4/22/2005	PCT/US05/13760		PUBLISHED WO05106746

the inventions disclosed and claimed therein, and all U.S. and foreign patents and applications that rely on the above listed patents or patent applications for priority ("the Patents").

2. WITNESS SYSTEMS desires to acquire and EXAMETRIC is willing to assign to WITNESS SYSTEMS all of EXAMETRIC'S right, title, and interest in and to the Patents and any inventions disclosed or claimed therein.
3. EXAMETRIC hereby transfers, grants, conveys, assigns, and relinquishes exclusively to WITNESS SYSTEMS all of EXAMETRIC'S right, title, and interest in and to the Patents, the inventions claimed therein, and all accrued causes of action for damages for infringement thereof.
4. For good and valuable consideration, receipt of which is hereby acknowledged, EXAMETRIC hereby sells, assigns, transfers, and sets over to WITNESS SYSTEMS, its lawful successors and assigns, EXAMETRIC'S entire right, title, and interest in the Patents, the inventions claimed therein, any other patent application directed to the inventions, and all Letters Patent of the United States that may be granted thereon, and all reissues, reexaminations, and extensions thereof; and all rights to claim priority on the basis of such application, and all applications for Letters Patent that may be filed for the invention in any foreign country and all Letters Patent that may be granted on the invention in any foreign country, and all extensions, renewals, and reissues thereof; and EXAMETRIC hereby authorizes and requests the Commissioner of Patents and Trademarks of the United States and any official of any foreign country whose duty it is to issue patents on applications as described above, to issue all Letters Patent for this invention to WITNESS SYSTEMS, its successors and assigns, in

accordance with the terms of this Assignment.

5. In furtherance of this Agreement, EXAMETRIC hereby acknowledges that, from the Effective Date forward, WITNESS SYSTEMS has succeeded to all of EXAMETRIC'S right, title, and standing to receive all rights and benefits pertaining to the Patents, institute and prosecute all suits and proceedings, and take all actions that WITNESS SYSTEMS, in its sole discretion, may deem necessary or proper to collect, assert, or enforce any claim, right, or title of any kind under any and all of the Patents, whether arising before or after the Effective Date, including the right to sue to enforce and collect damages for past infringement of the Patents, defend and compromise any and all such actions, suits, or proceedings relating to such transferred and assigned rights, title, interest, and benefits, and do all other such acts and things in relation thereto as WITNESS SYSTEMS, in its sole discretion, deems advisable.
6. EXAMETRIC represents and warrants that no consents of any other parties are necessary or appropriate under any agreements concerning any of the Patents in order for the transfer and assignment of any of the Patents under this Agreement to be legally effective.
7. This Agreement shall inure to the benefit of, and be binding on, the parties hereto together with their respective legal representatives, successors, and assigns.
8. This Agreement shall be governed by and construed in accordance with the laws of the State of Georgia (excluding conflicts of law rules) and of the United States.
9. This Agreement merges and supersedes all prior and contemporaneous agreements, assurances, representations, and communications between or among the parties hereto concerning the matters set forth herein.

IN TESTIMONY WHEREOF, each party has caused its authorized representative to execute this Assignment.  
EXAMETRIC, INC. WITNESS SYSTEMS, INC.

By: A.S. Kiran

By: Wimpfheimer

ALI S KIRAN  
Print Name

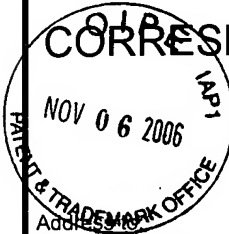
WIMPFHEIMER  
Print Name

Title: CEO

Title: to SUP

Best Available Copy

IPW

<b>CHANGE OF CORRESPONDENCE ADDRESS APPLICATION</b>  Address Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	10/633,357
	Filing Date	August 1, 2003
	First Named Inventor	Hedlund, et al.
	Art Unit	3623
	Examiner Name	Loftis, Johnna Ronee
	Attorney Docket Number	762302-1050

Please change the Correspondence Address for the above-identified patent to:

☐ Customer Number**24504****OR**

Type Customer Number here

Place Customer  
Number Bar Code  
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<input checked="" type="checkbox"/> Firm or Individual Name	<b>M. Paul Qualey, Jr. THOMAS, KAYDEN, HORSTEMEYER &amp; RISLEY, L.L.P.</b>				
Address	<b>100 Galleria Parkway</b>				
Address	<b>Suite 1750</b>				
City	<b>Atlanta</b>	State	<b>GA</b>	ZIP	<b>30152</b>
Country	<b>USA</b>				
Telephone	<b>(770) 933-9500</b>		Fax	<b>(770) 951-0933</b>	

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This form will not affect any "fee address" provided for the above-identified patent. To change a fee address, use the "Fee Address Indication Form (PTO/SB/47)".

I am the:

- ☐ Applicant/Inventor  
☐ Assignee of record of the entire interest. See 37 CFR 3.71  
 Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)  
☒ Attorney or agent of record. Registration Number **48,472**.  
☐ Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number .

Type or Printed Name **Karen G. Hazzah**

Signature

*Karen G. Hazzah*

Date

**Nov. 3 2006**

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representatives(s) are required. Submit multiple forms if more than one signature is required, see below.\*

This collection of information is required by 37 CFR 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.13. The collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Office, U.S. Patent and Trademark Office, P.O. Box 1450, Arlington, Virginia 22313-1450 DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. Send Fees and Completed Forms to the following address: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

If you need assistance in completing the form, call 1-800-PTO-9199 and selection option 2.